

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL J. MITCHELL and  
TAMMITHA M. MITCHELL, husband  
and wife

vs.

CI-02-CV3652

POWERMATIC CORPORATION, a/k/a  
POWERMATIC, INC., JET EQUIPMENT  
& TOOLS, INC., AND DEVLIEG-  
BULLARD, INC. a/k/a DEVLIEG  
BULLARD II, INC.

JURY TRIAL DEMANDED

**MEMORANDUM OF LAW**

Plaintiffs asserted a claim for personal injuries against defendants as a result of an industrial accident of June 8, 2000. On April 28, 2003, counsel for WMH Tool Group, Inc. formerly known as Jet Equipment & Tools, Inc., Successor-By-Merger to Powermatic Corporation served upon counsel for DeVlieg-Bullard, a/k/a DeVlieg-Bullard, II, Inc. interrogatories (Sets I and II) pursuant to the Federal Rules of Civil Procedure. Neither DeVlieg Bullard nor DeVlieg-Bullard, II, Inc. have served answers or objections to these interrogatories. By letter of July 9, 2003, counsel for WMH Tool Group, Inc. formerly known as Jet Equipment & Tools, Inc., Successor-By-Merger to Powermatic Corporation requested DeVlieg-Bullard to supply answers to interrogatories within fifteen days so as to avoid the filing of a motion for sanctions, but DeVlieg Bullard, a/k/a DeVlieg-Bullard, II, Inc. has failed and refused to supply such answers.

WHEREFORE, WMH Tool Group, Inc. formerly known as Jet Equipment & Tools, Inc., Successor-By-Merger to Powermatic Corporation, prays that Your Honorable Court enter an order pursuant to F.R.C.P. 37(a)(2).

**BENNETT, BRICKLIN & SALTZBURG LLP**

**BY:** \_\_\_\_\_

**JOEL PAUL FISHBEIN, Esquire**  
**Attorney for Defendant,**

WMH Tool Group, Inc. formerly known as Jet  
Equipment & Tools, Inc., Successor-By-  
Merger to Powermatic Corporation